

## **Implementation Guidance for Federal Project Selections**

With the past two federal transportation acts (ISTEA and TEA-21) the “Gang of Eight” (representatives from cities, counties, ports, transit, MPO, Governor’s office, Legislature, and WSDOT) established policy positions and funding recommendations on implementing ISTEA and TEA-21.

In 2005 SAFETEA-LU (Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users FFY 2004 - 2009) was signed into law. The delay in reauthorization of the federal transportation act resulted in federal fund distributions continuing with past practices.

In the 2006 Supplemental Budget, the Legislature identified a number of projects and uses for federal funds that had previously been distributed through agreements reached by the “Gang of Eight”.

In addition, the 2006 Supplemental Transportation Budget, SSB 6241, included Section 309(19) which added requirements to Regional Transportation Planning Organizations (RTPOs) that receive federal fund allocations. It was the Legislature’s intent that projects be selected based on regional priorities and not by formulaic distributions. The department was also requested to maintain a full and transparent accounting of federal funds. While the Governor strongly supported the intent of section 309 (19), it was vetoed because it required immediate implementation. In her veto message she directed the Department of Transportation to work with RTPOs to implement the Legislature’s intent beginning with the FFY 2008 allocations.

Both the legislature and the Governor's Office are expected to retain their high level of interest in federal funding. Beginning this summer, the Governor's Office is instituting a new, and on-going, federal funds quarterly review process in order to keep federal funding opportunities and choices current and transparent, as well as to provide interested stakeholders opportunities to provide input. The "gang of eight" approach is not expected to be revitalized.

To better understand the intent of the proviso, WSDOT held a meeting with the Governor’s office, Senate and House staff, and the RTPOs on April 17, 2006. This meeting resulted in the following implementation guidance for RTPOs that receive a federal allocation.

1. Selecting projects based on regional priorities
  - a. RTPOs shall identify their regional priorities for their transportation system.
  - b. RTPOs shall have a competitive process either for the region and/or county. The process shall include criteria that is applied to all projects and relates to the regional priorities.

- c. RTPOs shall not distribute funds based on population or any other formula method. Based on the information provided during the April 17<sup>th</sup> meeting, the following RTPOs that need to update their project selection process include:
  - i. Thurston Regional Planning Council (TRPC)
  - ii. Yakima Valley Conference of Governments (YVCOG)
  - iii. Benton Franklin Council of Governments (BFCG)
  - iv. Cowlitz-Wahkiakum Council of Governments (CWCOG)
  - v. Wenatchee Valley Transportation Council (WVTC)
  - vi. Skagit/Island RTPO
  - vii. Lewis Clark Valley (LCV)

2. Reporting to WSDOT requirements

- a. By **November 1, 2006**, RTPOs shall forward to WSDOT the following information regarding regional priorities and project selections for projects utilizing federal STP and CMAQ funds from FFY 2004 allocations to present.
  - i. RTPOs shall provide a succinct description of their regional priorities as they relate to their project selection process. If more than one prioritization process is employed, the criteria and processes must be clearly described (e.g., regional and/or countywide).
  - ii. The list of projects shall include: RTPO, lead agency, project title, dollar amount of STP and CMAQ funds awarded, total project cost, project description, and which regional priority is being met by the project. The selected projects need to add up to each FFY allocation. For example, RTPO 'A' received \$1 million federal STP funds for FFY 2004 – a list of projects totaling \$1 million would be provided. Attached is an example.

3. WSDOT allocation estimates for FFY 2004, 2005, and 2006

- a. WSDOT is providing the current estimates based on the February forecast. The FFY 2004 allocations have been reduced by ten percent due to the limited spending authority authorized by Congress. FFY 2005 and FFY 2006 allocations are anticipated by July 2006.
- b. For future projections on allocations, WSDOT recommends utilizing the FFY 2006 figures. As more precise information becomes available it will be provided.